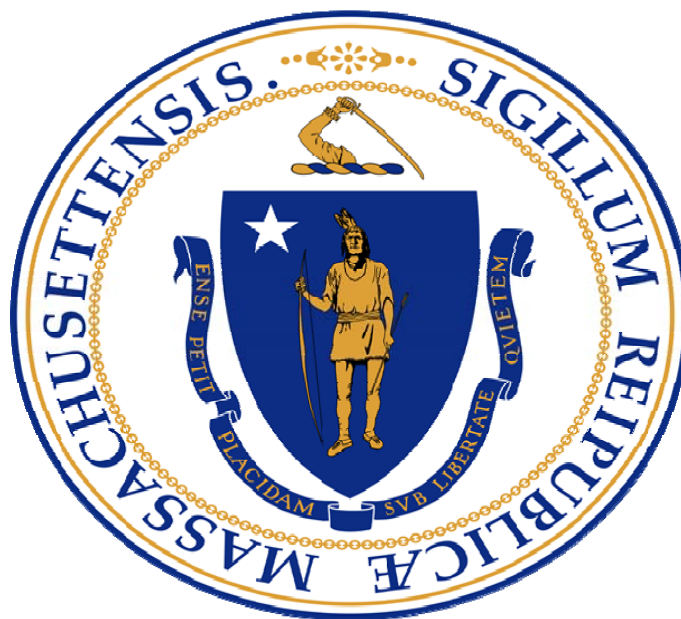


Quarterly Report on the Status of Prison Capacity, Second Quarter 2016

Massachusetts Department of Correction
Submitted in Compliance with Chapter 799
Section 21 of the Acts of 1985



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Governor

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September 2016

2016 Second Quarter Report

Section Twenty-one of Chapter 799 of the Acts of 1985 directs the Commissioner of Correction to report quarterly on the status of overcrowding in state and county facilities. This statute calls for the following information:

Such report shall include, by facility, the average daily census for the period of the report and the actual census on the first and last days of the report period. Said report shall also contain such information for the previous twelve months and a comparison to the rated capacity of such facility.

This report presents the required statistics for the second quarter of 2016.

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Authorized by: Gary Lambert, Assistant Secretary for Operational Services

This report, prepared by Gina Papagiorgakis of the Research and Planning Division, is based on counts submitted by Massachusetts Sheriffs and the DOC.

2016 Second Quarter Report

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Technical Notes: 2010 – Present (for previous years, please refer to reports prior to 2nd quarter 2015)

- MCI-Cedar Junction began double-bunking maximum security housing units 2 and 3 on March 17, 2011, and the Orientation Unit on March 29, 2011.
- Average Daily Population for the previous year was calculated by using the last day of each month.
- The ATU (Awaiting Trial Unit) houses both pre-trial and civilly committed females. The facility population count provided includes all pre-trial and civil females, some of whom might be housed elsewhere within MCI-Framingham other than the actual ATU.
- Average Daily Population for county facilities was calculated by using the last week of every month (based on the day of the week in which it was provided).
- Custody snapshot data is based on an end of the month count. Prior to 4th quarter 2011, custody snapshot data was taken based on the first of the month.
- A new county facility for females was opened in Hampden County in November 2011, now taking most females from the western half of the state.
- On July 1, 2012, the maximum number of days an individual civilly committed as a Section 35 at MASAC or MCI-Framingham was increased from 30 days to 90 days.
- On June 24, 2012 six pre-release beds were added to MCI-Plymouth. An additional four pre-release beds were added by the end of 2012.
- Chapter 192 of the Acts of 2012, known as the Crime Bill, was enacted on August 2, 2012 and resulted in an immediate change to sentence structure for dozens of inmates.
- Primarily during the months of September to December 2012, issues regarding accuracy of testing at the Hinton Drug Lab resulted in several hundred releases “from court”.
- Effective April 1, 2013, Brooke House has three types of bed categories; DOC Reentry, Parole Transitional and Parole Halfway. Historically, Brooke House beds were only DOC Reentry.
- As of May 2013, 6 medium security beds were added to MCI-Cedar Junction.
- In May 2013, inmates housed at the Cambridge Jail in Middlesex County were temporarily housed elsewhere due to issues with the water system for a short period of time.
- On October 15, 2013, MCI-Plymouth increased its pre-release capacity to 15 beds while decreasing its minimum capacity to 212 beds. The overall operational capacity remained the same.
- In June 2014, Shirley Minimum reduced their capacity by 4 beds.
- On June 28, 2014 the Middlesex County Jail in Cambridge was officially closed.
- Inmates housed at NCCI Gardner Minimum were temporarily moved in October 2014 due to an energy conservation project.
- Throughout 2015, there were various changes reported for design capacity for numerous county facilities. All design capacities and occupancy data for Massachusetts Houses of Correction and jails reported herein is provided by the County, Federal, and Interstate Unit.
- Effective May 28, 2015, the DOC terminated their contract with Brooke House which included 20 beds for male inmates.
- Inmates are no longer housed at Bay State Correctional Center as of June 30, 2015. The transfer of inmates housed at BSCC to other facilities began in April 2015.

- Effective June 30, 2015, a unit of 48 beds was reallocated at Pondville Correctional Center to house those who have been granted parole and are currently in the Transitional Treatment Program (TTP). They are not considered part of the DOC's custody or jurisdiction populations.
- Due to the closing of facilities, the design capacity for the DOC decreased from 8,029 to 7,728 (301 beds). This change is reflected beginning in the third quarter 2015.
- During the fourth quarter of 2015, numerous units were inactivated within MCI-Concord resulting in the transferring of inmates to other facilities (including all 52A pre-trial inmates at this facility). This reduced the operational capacity of the facility.
- The percentage of capacity is not provided in Table 2 due to a change in design capacity during the time period reflected in the table.

Definitions:

Custody Population: Custody population refers to all offenders held in DOC facilities only, and does not include DOC inmates serving time in correctional facilities outside of the DOC (e.g., Massachusetts county Houses of Correction, other states' correctional facilities, and the Federal Bureau of Prisons).

Jurisdiction Population: Jurisdiction population refers to all offenders incarcerated in DOC facilities as well as DOC inmates serving time in correctional facilities outside of the DOC (e.g., Massachusetts county Houses of Correction, other states' correctional facilities, and the Federal Bureau of Prisons).

Design/Rated Capacity: The number of inmates that planners or architects intended for the institution [as defined by the U.S. Department of Justice, Bureau of Justice Statistics (BJS)]. Rated capacity is the number of beds or inmates assigned by a rating official to institutions within the jurisdiction, essentially formally updated from the original design capacity.

Security Levels:

In May 2012, new security level designations were established according to **103 DOC 101 Correctional Institutions/Security Levels** policy which states:

Pre-Release/Contracted Residential Placement – The perimeter is marked by non-secure boundaries. Physical barriers to inmate movement and interaction are either non-secure or non-existent. Inmate movements and interactions are controlled by rules and regulations only. Inmates may leave the institution daily for work and/or education in the community. Supervision while on the grounds of the facility is intermittent. While in the community, supervision is occasional, although indirect supervision (e.g. contact with employer) may be more frequent. Inmates must be within eighteen (18) months of parole eligibility or release and not barred by sentencing restrictions for either placement in a pre-release facility or participation in work, education or program related activities (PRA) release programs.

Minimum – The perimeter is marked by non-secure boundaries. Physical barriers to movement and interaction are either non-secure or non-existent. Inmates may be housed in single, double or multiple occupancy areas. Inmate movements and interactions are controlled by rules and regulations only. Supervision is intermittent. Inmates may leave the perimeter under supervision. Contact visits and personal clothing are allowed.

Medium – The perimeter and physical barriers to control inmate movement and interaction are present. Inmates may be housed in single, double or multiple occupancy areas. Inmate movement and interaction are generally controlled by rules and regulations, as well as with physical barriers. Inmates are subject to direct supervision by staff. Work and program opportunities are available. Contact visits and personal clothing may be allowed. Inmates assigned to medium custody designation at MCI-Cedar Junction will receive contact visits.

Maximum – The perimeter is designed and staffed to prevent escapes and the introduction of contraband. Inmate movement and interaction are controlled by physical barriers. Inmates are housed in single and double cells. The design of the facility offers an ability to house some offenders separate from others

without a limitation of work and/or program opportunities. Inmates are subject to direct supervision by staff. At the superintendent's discretion, contact visits may be allowed at Souza Baranowski Correctional Center and MCI Cedar Junction's reception beds (which are considered maximum security). Personal clothing is generally not allowed.

Abbreviations

ADP	Average Daily Population
ATU	Awaiting Trial Unit
BSCC	Bay State Correctional Center
BOS	Boston Pre-Release
BSH	Bridgewater State Hospital
CFI	County, Federal and Interstate
CJ	MCI-Cedar Junction
CON	MCI-Concord
DOC	Department of Correction
DYS	Department of Youth Services
FRA	MCI-Framingham
HOC	House of Correction
LEM	Lemuel Shattuck Hospital
MASAC	Massachusetts Alcohol and Substance Abuse Center
MTC	Massachusetts Treatment Center
NCCI	NCCI-Gardner
NECC	Northeastern Correctional Center
NOR	MCI-Norfolk
OCCC	Old Colony Correctional Center
PCC	Pondville Correctional Center
PLY	MCI-Plymouth
SBCC	Souza Baranowski Correctional Center
SHI	MCI-Shirley
SMCC	South Middlesex Correctional Center

Table 1 provides the DOC figures for the second quarter of 2016. The DOC custody population has decreased by 29 inmates, or less than one percent in this time period. Operating with 9,395 inmates in the system, the average daily population was 9,415 with a design capacity of 7,728. Thus, the DOC operated at 122% of design capacity during the second quarter of 2016. It is important to note that the design capacity decreased during the third quarter 2015 due to the closing of a facility and the termination of contract facilities. This will affect the percentage of capacity, particularly when comparing to previous quarters.

DOC inmates housed in non-DOC facilities had an average daily population of 458 inmates. The majority of these inmates were in Massachusetts Houses of Correction.

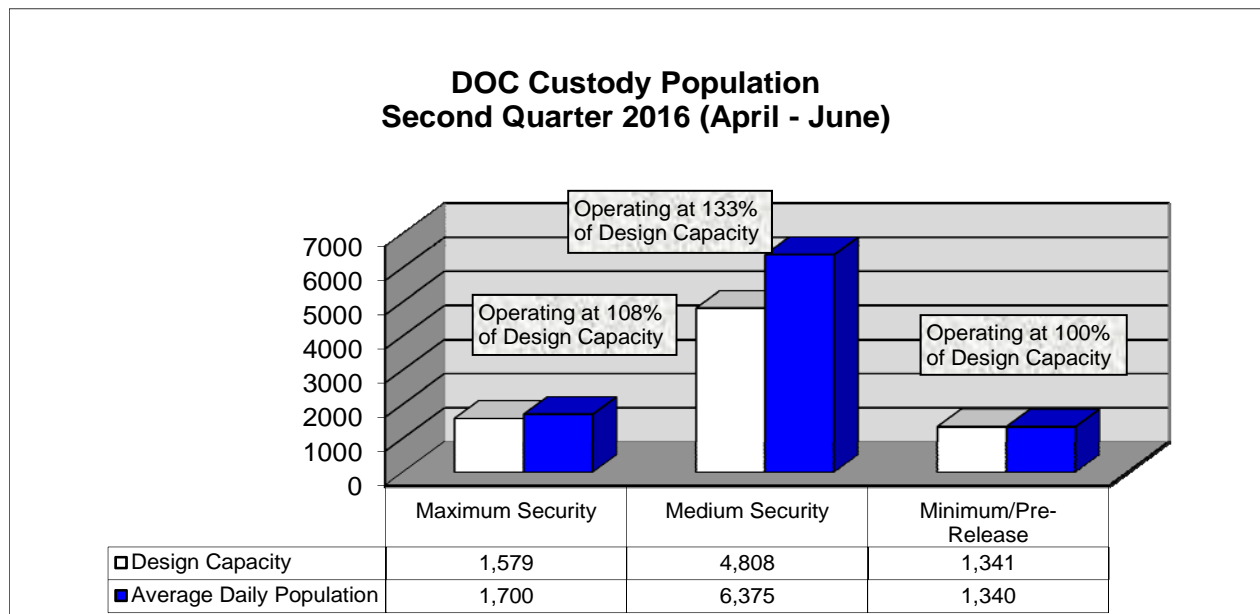
Overall, the average daily total DOC jurisdiction population for the second quarter 2016 was 9,873. There was a decrease of 34 inmates, or less than one percent, over the quarter from 9,877 to 9,843.

Table 1

Second Quarter 2016					
Population in DOC Facilities, April 30, 2016 to June 30, 2016					
Security Level/Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
<u>Maximum</u>					
MCI-Cedar Junction	667	684	668	555	120%
SBCC	1,033	996	1,060	1,024	101%
Sub-Total, Maximum	1,700	1,680	1,728	1,579	108%
<u>Medium</u>					
Massachusetts Treatment Center	526	527	526	561	94%
MCI-Cedar Junction	72	72	73	78	92%
MCI-Concord	664	606	690	614	108%
MCI-Framingham (Female)	334	315	358	388	86%
MCI-Framingham: ATU (Female)	193	180	197	64	302%
MCI-Norfolk	1,458	1,470	1,443	1,084	135%
MCI-Shirley	1,149	1,152	1,144	720	160%
NCCI-Gardner	939	935	941	568	165%
OCCC	702	790	647	480	146%
Shattuck Correctional Unit	27	27	24	24	113%
State Hospital @ Bridgewater	311	317	308	227	137%
Sub-Total, Medium	6,375	6,391	6,351	4,808	133%
<u>Minimum</u>					
MA Alcohol and Substance Abuse Center	197	204	187	236	83%
MCI-Shirley	294	286	303	299	98%
NCCI-Gardner	16	17	15	30	53%
OCCC	99	99	100	100	99%
<u>Minimum/Pre-Release</u>					
Boston Pre-Release Center	149	155	139	150	99%
MCI-Plymouth	133	136	128	151	88%
NECC	224	224	220	150	149%
Pondville Correctional Center	121	121	120	100	121%
SMCC	107	111	104	125	86%
Sub-Total, Minimum/Pre-Release	1,340	1,353	1,316	1,341	100%
Custody Total	9,415	9,424	9,395	7,728	122%
<u>DOC Inmates in Non-DOC Facilities</u>					
Houses of Correction	362	360	350	n.a.	n.a.
Department of Youth Services	2	2	3	n.a.	n.a.
Federal Prisons	4	3	4	n.a.	n.a.
Inter-State Compact	90	88	91	n.a.	n.a.
Sub-Total	458	453	448	n.a.	n.a.
Jurisdiction Total	9,873	9,877	9,843	7,728	128%

See Technical Notes, p. 4-6, for information regarding design capacity, custody level designations, facility closings or name changes relevant to this time period.

Figure 1



- ◆ Maximum security facilities operated above capacity during the second quarter 2016 at 108%. Souza Baranowski Correctional Center operated at design capacity at 101%, while MCI Cedar Junction operated at 120%.
- ◆ Medium security facilities had the highest capacity rate during this quarter, operating overall at 133% of design capacity despite a decrease from prior years. This notable drop is in large part due to the transfer of nearly half of MCI Concord's population to various other facilities, both in and out of DOC custody. Nearly all of those transferred to facilities outside the DOC are being housed in a House of Correction.
- ◆ Minimum/Pre-release security facilities operated at an average of 100% of design capacity. Though not affected as greatly as medium security facilities, the termination of contract facilities decreased the design capacity for these levels by 35 beds.
- ◆ Operating within MCI-Cedar Junction is a medium security unit designed to house 78 inmates. During the quarter the average daily population was 72, operating at 92% of design capacity.
- ◆ NCCI-Gardner, a medium security facility, had the second highest capacity rate during the second quarter of 2016, averaging 939 inmates and operating at 165%.
- ◆ South Middlesex Correctional Center, a female minimum/pre-release facility, operated at 86% with an average daily population of 107 inmates.
- ◆ NECC, the minimum/pre-release facility with the highest capacity rate, operated over design capacity (149%) with an average daily population of 224 inmates.
- ◆ The Massachusetts Department of Correction operated at an average of 122% of design capacity during this quarter.

Table 2 provides the DOC figures for the previous twelve months (April 30, 2015 to March 31, 2016). The figures below indicate that the DOC custody population decreased by 737 inmates, or seven percent, over the twelve-month period from 10,260 in April 2015 to 9,523 in March 2016.

DOC inmates housed in non-DOC facilities had an average daily population of 451 inmates: 359 inmates in Houses of Correction, 86 inmates in Interstate Compact, 4 inmates in a Federal Prison and 2 in a Department of Youth Services facility.

The DOC jurisdiction population decreased from 10,691 to 9,992 over the twelve month period, a decrease of 699 inmates, or seven percent. The average daily population during this time period was 10,371 inmates.

Table 2

Previous Twelve Months Population in DOC Facilities, April 30, 2015 to March 31, 2016				
Security Level/Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity
Maximum				
MCI-Cedar Junction	707	704	721	555
SBCC	1,023	998	1,006	1,024
Sub-Total, Maximum	1,730	1,702	1,727	1,579
Medium				
Bay State Correctional Center	21	163	-	-
Massachusetts Treatment Center	530	546	521	561
MCI-Cedar Junction	69	70	71	78
MCI-Concord	896	1,096	586	614
MCI-Framingham (Female)	335	345	327	388
MCI-Framingham: ATU (Female)	227	236	183	64
MCI-Norfolk	1,450	1,448	1,463	1,084
MCI-Shirley	1,158	1,152	1,152	720
NCCI-Gardner	954	906	949	568
OCCC	732	711	782	480
Shattuck Correctional Unit	25	20	29	24
State Hospital @ Bridgewater	308	299	322	227
Sub-Total, Medium	6,705	6,992	6,385	4,808
Minimum				
MA Alcohol and Substance Abuse Center	188	179	206	236
MCI-Shirley	317	322	289	299
NCCI-Gardner	22	23	18	30
OCCC	101	103	101	100
Minimum/Pre-Release				
Boston Pre-Release Center	151	154	168	150
MCI-Plymouth	180	182	151	151
NECC	258	265	232	150
Pondville Correctional Center	145	192	131	100
SMCC	122	135	115	125
Contract Pre-Release				
Brooke House	1	11	0	-
Women and Children's Program	0	0	0	-
Sub-Total: Contract, Minimum/Pre-Release	1,485	1,566	1,411	1,341
Custody Total	9,920	10,260	9,523	7,728
DOC Inmates in Non-DOC Facilities				
Houses of Correction	359	339	378	n.a.
Department of Youth Services	2	0	1	n.a.
Federal Prisons	4	5	3	n.a.
Inter-State Compact	86	87	87	n.a.
Sub-Total	451	431	469	n.a.
Jurisdiction Total	10,371	10,691	9,992	7,728

See Technical Notes, p. 4-6, for information regarding design capacity, custody level designations, facility closings or name changes relevant to this time period.

Table 3 presents the county figures for the second quarter of 2016. During the second quarter, the county population increased by 366 inmates, or three percent, beginning the quarter with 10,590 inmates and ending with 10,956. The average daily population was 10,721 with a design capacity of 11,226. On average, the county facilities operated at 96% of design capacity.

Table 3

Second Quarter 2016 Population in County Correctional Facilities by County, April 21, 2016 to June 27, 2016					
Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity*	% ADP Capacity
Barnstable	374	376	367	300	125%
Berkshire	224	226	222	292	77%
Bristol	1,278	1,257	1,327	566	226%
Dukes	20	20	21	19	105%
Essex	1,520	1,500	1,585	1,654	92%
Franklin	245	243	250	144	170%
Hampden	1,440	1,405	1,477	1,632	88%
Hampshire	234	234	236	287	82%
Middlesex	1,112	1,111	1,125	1,501	74%
Norfolk	504	520	503	620	81%
Plymouth	1,095	1,086	1,084	1,140	96%
Suffolk	1,605	1,581	1,621	2,249	71%
Worcester	1,070	1,031	1,138	822	130%
Total	10,721	10,590	10,956	11,226	96%

*Design capacity is provided by the County, Federal, and Interstate Unit.

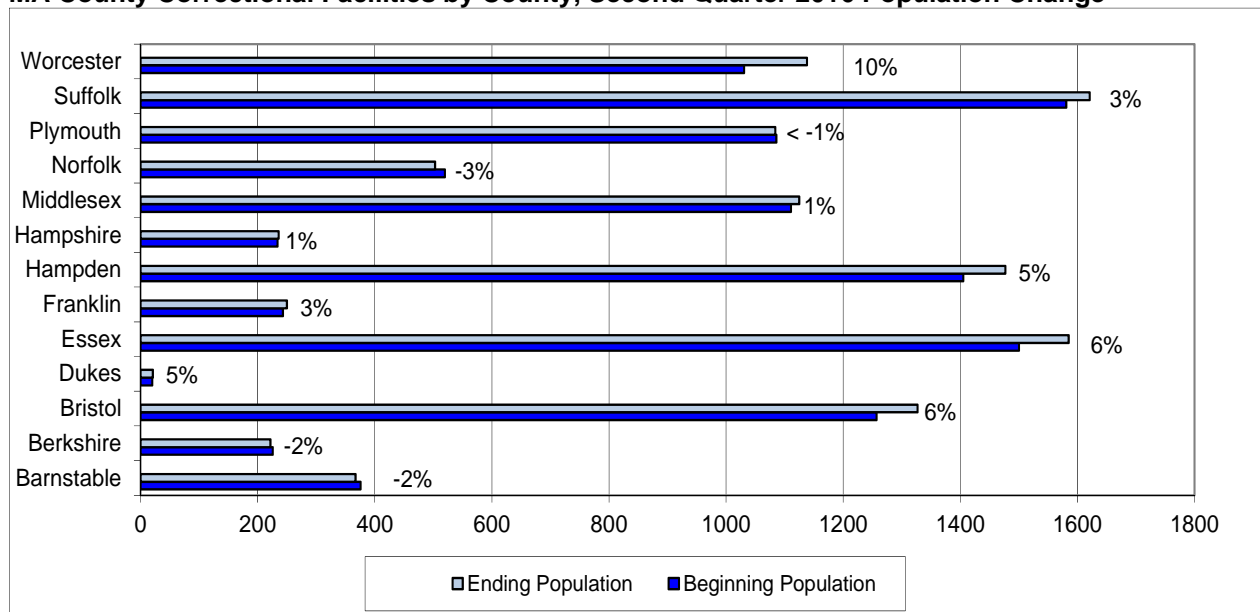
Table 4 presents the breakdown of county figures for the second quarter of 2016 for the counties which operate more than one facility.

Table 4

Second Quarter 2016 Population in County Correctional Facilities by Facility, April 21, 2016 to June 27, 2016					
Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Bristol County					
Bristol Ash Street	191	192	188	206	93%
Bristol Dartmouth	996	968	1,046	304	328%
Bristol Women's Center	91	97	93	56	163%
Essex County					
Essex Middleton	1,122	1,094	1,179	1,291	87%
Essex W.I.T	40	41	39	23	174%
Essex LCAC	358	365	367	340	105%
Hampden County					
Hampden HOC	1,075	1,031	1,119	1,178	91%
Hampden WMCAC	104	112	95	148	70%
Hampden Women's Center	262	262	263	306	86%
Suffolk County					
Suffolk Nashua Street	637	627	660	453	141%
Suffolk South Bay	968	954	961	1,796	54%

See Technical Notes, p. 4-6, for information regarding design capacity, custody level designations, facility closings or name changes relevant to this time period.

Figure 2
MA County Correctional Facilities by County, Second Quarter 2016 Population Change



- ◆ Most county correctional institutions have jail beds (to hold prisoners awaiting trial) and house of correction beds (designated for sentenced inmates), with the exception of Suffolk County, which houses these populations in separate facilities. The design capacities are determined within each facility and separate capacities are not designated as “jail” (detainees) or “house of correction” (county sentenced) beds.
- ◆ In the second quarter of 2016, the county correctional system operated at 96% of its design capacity, with an average daily population of 10,721 and a capacity designed to hold 11,226 inmates. This is a considerable drop from previous quarters, most notably due to changes in design capacity in various county facilities.
- ◆ Norfolk County reported the largest percentage decrease over the second quarter (3%). Barnstable and Berkshire Counties reported the second largest percentage decrease, both decreasing 2% from the beginning of the second quarter to the end of the quarter. Norfolk County also had the largest decrease in overall population over the trend period, a decrease of 17 inmates.
- ◆ Worcester County had the largest percentage increase in population, 10% from the beginning of the second quarter to the end of the quarter. Worcester County also reflected the largest total increase in population, an increase of 107 inmates.
- ◆ The county correctional facilities’ (jails and houses of correction) population increased by 366 inmates, or three percent, for the second quarter of 2016, from 10,590 at the beginning of the quarter to 10,956 at the end of the quarter.

Table 5 presents the county figures for the previous twelve months (April 28, 2015 to March 28, 2016). The numbers indicate that the county population increased by 145 inmates over this twelve-month period, or one percent, from 10,401 in April 2015 to 10,546 in March 2016.

Table 5

Previous Twelve Months Population in County Correctional Facilities by County, April 28, 2015 to March 28, 2016					
Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Barnstable	395	405	367	300	132%
Berkshire	227	217	253	292	78%
Bristol	1,175	1,136	1,190	566	208%
Dukes	16	11	16	19	84%
Essex	1,543	1,535	1,533	1,654	93%
Franklin	251	239	234	144	174%
Hampden	1,419	1,384	1,445	1,632	87%
Hampshire	246	269	230	287	86%
Middlesex	1,070	1,101	1,069	1,501	71%
Norfolk	501	513	525	620	81%
Plymouth	1,067	1,023	1,043	1,140	94%
Suffolk	1,537	1,504	1,623	2,249	68%
Worcester	1,078	1,064	1,018	822	131%
Total	10,525	10,401	10,546	11,226	94%

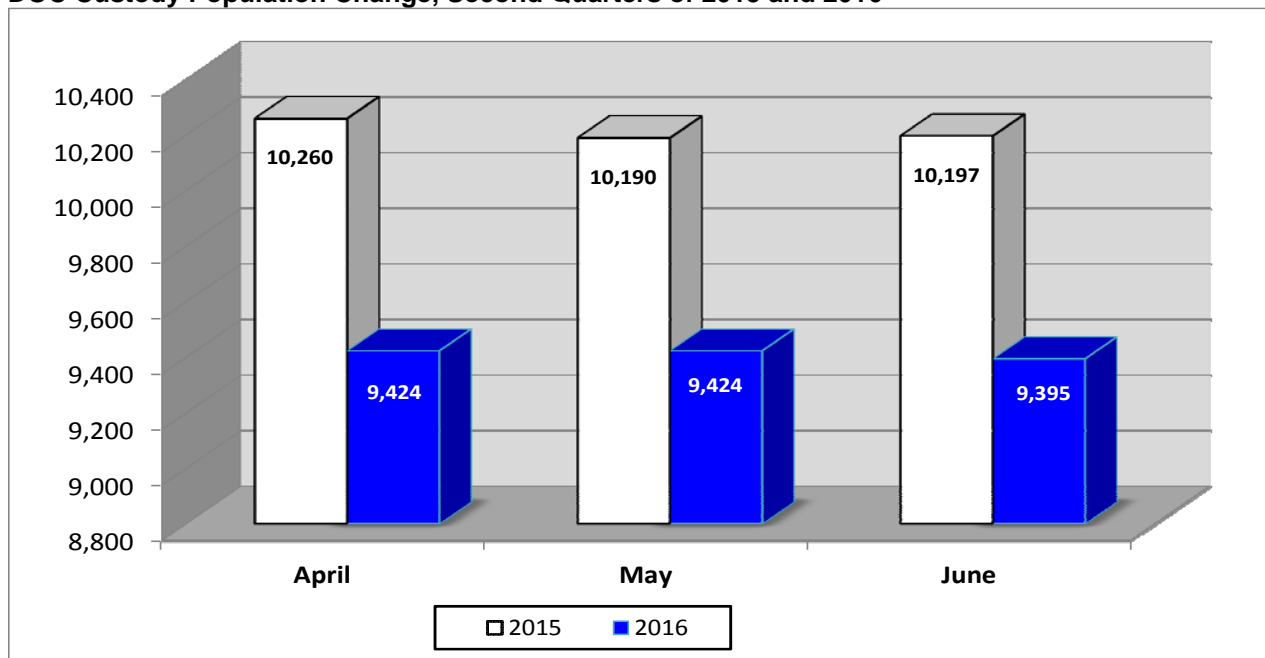
Table 6 presents the county figures for the previous twelve months. The following table presents a breakdown of facility population and capacity for counties that operate more than one facility.

Table 6

Previous Twelve Months Population in County Correctional Facilities by Facility, April 28, 2015 to March 28, 2016					
Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Bristol County					
Bristol Ash Street	189	193	183	206	92%
Bristol Dartmouth	907	861	911	304	298%
Women's Center	79	82	96	56	141%
Essex County					
Essex Middleton	1,158	1,159	1,168	1,291	90%
Essex W.I.T.	40	32	43	23	174%
Essex LCAC	345	344	322	340	101%
Hampden County					
Hampden HOC	1,054	1,035	1,041	1,178	89%
Hampden WMCAC	93	85	122	148	63%
Hampden Women's Center	271	264	282	306	89%
Suffolk County					
Suffolk Nashua Street	633	599	660	453	140%
Suffolk South Bay	904	905	963	1,796	50%

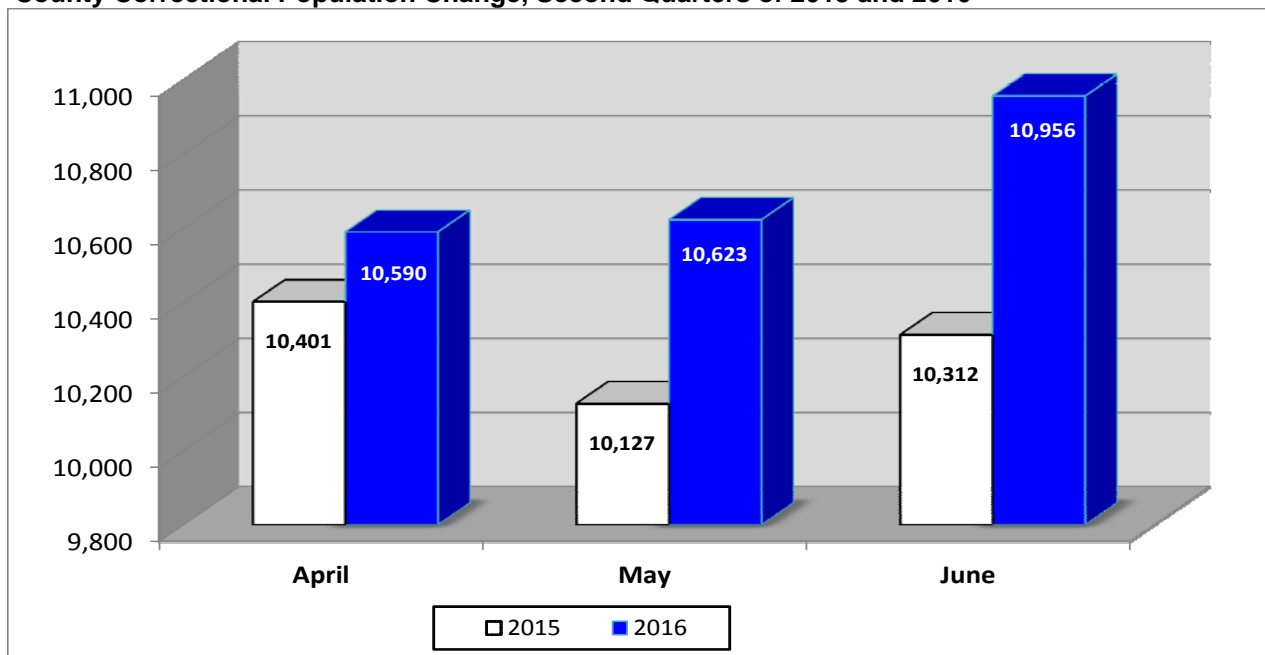
See Technical Notes, p. 4-6, for information regarding design capacity, custody level designations, facility closings or name changes relevant to this time period.

Figure 3
DOC Custody Population Change, Second Quarters of 2015 and 2016



The graph above compares the DOC custody population including treatment and support facilities for the second quarter in 2016 to the second quarter in 2015 by month. For April 2016, the DOC population decreased by 836 inmates, or eight percent compared to April 2015; for May 2016 the population decreased by 766 inmates, or eight percent; for June 2016 the population decreased by 802 inmates, or eight percent.

Figure 4
County Correctional Population Change, Second Quarters of 2015 and 2016



The graph above compares the county correctional population for the second quarter in 2016 to the second quarter in 2015 by month. For April 2016, the population increased by 189 inmates, or two percent, compared to 2015; for May 2016 the population increased by 496 inmates, or five percent; for June 2016 the population increased by 644 inmates, or six percent.

Note: Data for Figure 4 was taken from the end of the month weekly count sheet compiled by the DOC Classification Division.

Table 7 provides quarterly statistics on criminally sentenced new court commitments to the DOC for the second quarter of 2015 and 2016, by gender. Overall, there was a decrease of 78 new court commitments for the second quarter 2016 compared to 2015, from 671 to 592. Male commitments decreased the most, 17% percent, from 496 to 414; female commitments remained nearly stagnant increasing by 3, or 2%, from 175 to 178.

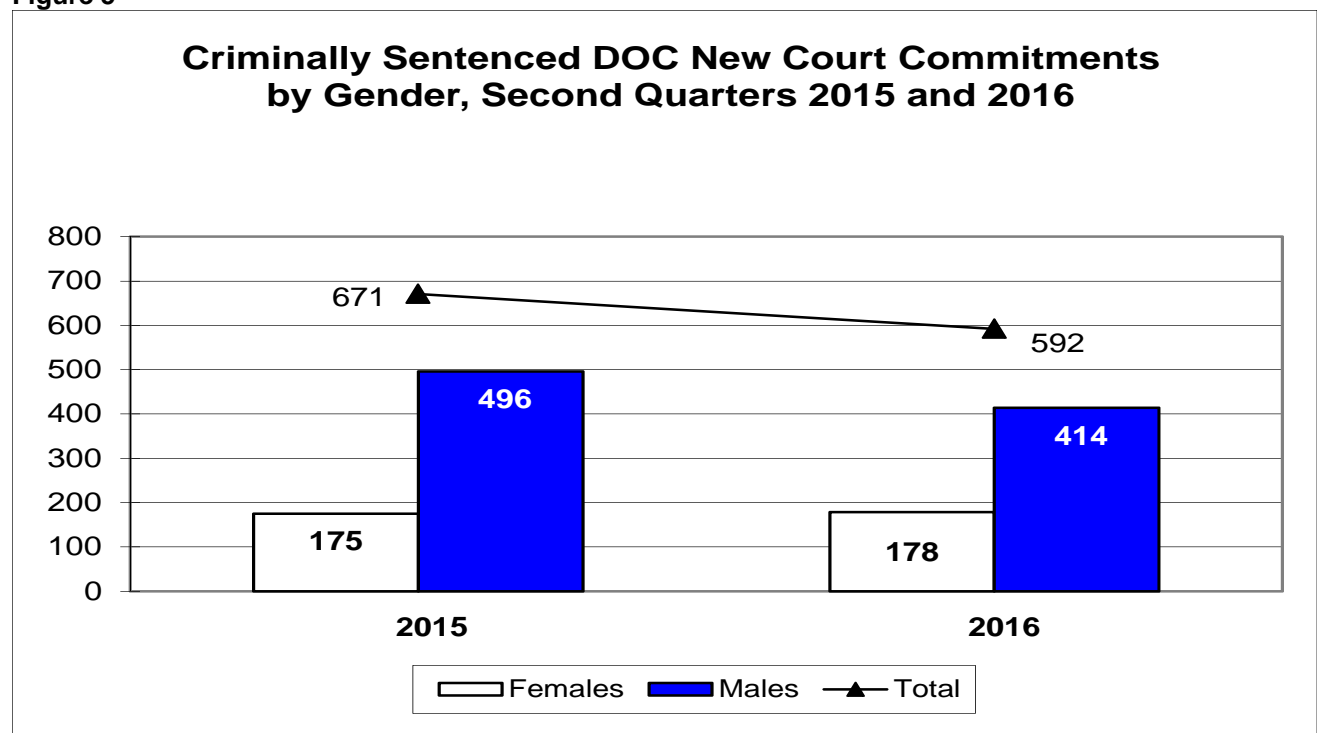
Table 7

**Criminally Sentenced DOC New Court Commitments
by Gender, 2015 and 2016**

	2015	2016	Difference
<u>Males</u>			
First Quarter	427	426	<1%
Second Quarter	496	414	-17%
<u>Females</u>			
First Quarter	144	165	15%
Second Quarter	175	178	2%
Total	1,242	1,183	-5%

Figure 5 provides a graphical representation of the number of criminally sentenced new court commitments to the DOC during the second quarters of 2015 and 2016, by gender.

Figure 5



Note: Data for Table 7 and Figure 5 were obtained from the DOC's IMS Database.